

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.16533 OF 2005

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Dated 28th July 2005

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Between:

S.Sanjeev S/o. Bikkaiah, aged about 54 years,
Occu:Sanitary Contractor, Subedari Revenue Colony,
Warangal, Warangal District.

...Petitioner

And

The District Collector/Chairman/HDS, MGM Hospital,
Warangal, Warangal District, & another.

...Respondents

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ORDER:

The sanitation services, in the second respondent hospital, are attended to, by engaging a private agency. The selection of such agency is by inviting tenders. The petitioner emerged as the successful bidder in the tender, issued in the year 2004, and he was assigned the contract from 7.01.2004 to 6.01.2005. Thereafter, it was extended by another six months. The respondents have issued a tender notice, dated 12.7.2005, inviting tenders for the same work, for subsequent period. The

petitioner challenges the same.

Learned counsel for the petitioner submits that his client had engaged about 140 workers, and has been discharging the functions, without any complaint, and to the satisfaction of the respondents. He submits that no prejudice, as such, would be caused, in case the contract in favour of the petitioner is continued, if necessary by revising the rates.

Learned Government Pleader for Medical and Health, on the other hand, submits that the contract of the petitioner ended in the month of January itself, and it is required to be assigned, for the second period, only through process of tenders.

It is not in dispute that the very engagement of the petitioner was through the process of inviting tenders. Having been beneficiary of such a system, the petitioner cannot take exception to it, in relation to subsequent period. If the petitioner had rendered meritorious service, during the tenure of contract, he can certainly compete with others, by responding to the impugned tender. This court does not find any basis to interfere with the same.

Hence, the writ petition is dismissed, leaving it open to the petitioner, to submit his tender in response to the tender notification. It is needless to observe that till an agency is finalized, through the impugned tender, the petitioner shall be continued, unless any serious deficiency is noticed in their services. There shall be no order as to costs.

28th July 2005

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